

REMARKS

Claims 22 and 25-31 are rejected under 35 U.S.C. 102(a) as being anticipated by West et al., U.S. 6,598,998 (hereinafter "West"). Applicants respectfully traverse the rejection. West does not teach "an optical element bonded to the semiconductor light emitting device by a bond disposed at an interface between the optical element and the semiconductor light emitting device" as recited in claim 22. The Examiner cites West's structure 44 as being claim 22's optical element. Structure 44 is a lens which is "coupled to LED package base 42." See column 3 line 25. A cavity between lens 44 and package base 42 is formed, into which is placed an LED chip. Column 3 lines 56-60 states "[t]here is a volume 54 between lens 44 and LED chip 52. Volume 54 may be filled and sealed to prevent contamination of LED 52 using silicone. Volume 54 may also be in a vacuum state, contain air or some other gas, or filled with an optically transparent resin material" Clearly, if there is a space between the LED chip and the lens, the lens cannot be bonded to the LED chip by a bond at an interface between the lens and the chip, as in claim 22's device. Therefore, West does not teach every element of claim 22 and claim 22 is allowable over West. Claims 25-31 depend from claim 22 and are therefore allowable over West for at least the same reason.

Claims 22, 25-27, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamana et al., U.S. 5,418,384 (hereinafter "Yamana"). Applicants respectfully traverse the rejection. Applicants respectfully direct the Examiner to Yamana's Figs. 20 and 21 and accompanying text. These figures define structure 26, illustrated in Fig. 22. Structure 29 of Fig. 21 is a "light emitting diode" as described in column 7, lines 66-67. As is clear from Fig. 21, light emitting diodes 29 are bonded to "metal film 31" (column 7 line 68), which is formed on "resin case" 32 (column 8 line 1). Applicants can find no specific mention in Yamana of element 33 of Fig. 21, but a person of skill in the art would expect element 33 to be a "light pervious resin 5 used for sealing purposes" as described in Yamana's Fig. 2 and at

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Yamana's column 3 lines 34-35, or an empty space or the wall of an empty space formed over light emitting diodes 29. In either case, the only surface to which light emitting diodes 29 are bonded is metal film 31, which is clearly not an optical element. Though light from structure 26 may shine into substrate 25, since the light emitting diode 29 is not bonded to substrate 25, Yamana clearly does not teach "an optical element bonded to the semiconductor light emitting device by a bond disposed at an interface between the optical element and the semiconductor light emitting device" as claimed in claim 22. Claim 22 is thus allowable over Yamana.

Claims 22, 25-27 and 33 depend from claim 22 and are therefore allowable over Yamana for at least the same reason as claim 22. Claims 23, 24, 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamana. Claims 23, 24, 32 and 34 depend from claim 22. The Examiner's analysis of these claims adds nothing to the deficiencies of Yamana with respect to claim 22, thus these claims are allowable over Yamana for at least the same reason as claim 22. Applicants respectfully dispute the Examiner's position that "the shape differences are considered obvious design choices."

In view of the above arguments, Applicants respectfully request allowance of claims 22-34 and 58-62. Should the Examiner have any questions, the Examiner is invited to call the undersigned at (408) 382-0480.

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